

MINUTES
JUNE 10, 2014
LAURENS COUNTY COUNCIL
HISTORIC COURTHOUSE – PUBLIC SQUARE
COUNTY COUNCIL CHAMBERS

ATTENDANCE: **COUNCIL MEMBERS PRESENT**- County Council Chairman Jim Coleman and Vice Chairman Edward McDaniel; Council Members Diane Anderson, Ted Nash, David Pitts and Joe Wood..

COUNCIL MEMBERS ABSENT – Councilman Keith Tollison (work out of state).

COUNTY STAFF: Laurens County Administrator, Ernest Segars; Laurens County Clerk to Council Betty Walsh and Laurens County Attorney, Sandy Cruickshanks.

DEPARTMENT HEADS PRESENT: Laurens County EMS – Chad Burrell, Director; Laurens County Finance Director, Lisa Kirk and Laurens County Human Resources Manager, Debi Parker.

PRESS: Iva Cadmus, WLBG Radio; Billy Dunlap, *Go-Laurens.com* and Corey Engle, *The Laurens County Advertiser*.

SCHEDULED SPEAKERS: Greg Lindley, Laurens County Fire / Rescue Director.

SCHEDULED MEETING AGENDA ITEMS - 1.) Call to Order – Chairman Coleman; 2.) Invocation – Councilman Wood; 3.) Pledge of Allegiance; 4.) Approval of Agenda, June 10, 2014; 5.) Approval of Minutes - May 27, 2014 regular session; 6.) Overview of Conditions of Existing Fire Stations and Construction of New Stations for the Laurens County Fire Service; 7.) Second Reading, Ordinance #766, “An Ordinance Authorizing the Execution and Delivery of a Fee Agreement By and Between Laurens County, South Carolina and Shaw Industries Group, Incorporated Providing For a Payment of a Fee In Lieu Of Taxes and Other Matters Related Thereto”; 8.) Second Reading, Laurens County Ordinance #633, “An Ordinance to Regulate Motor Sports Facilities Within the Unincorporated Area of Laurens County and to Provide Penalties for Violation of the Ordinance”; 9.) Appointment – Laurens County Airport Commission; 10.) Appointment(s) – Laurens County Accommodation Tax Advisory Committee; 11.) Approval of Resolution #2014-12 – “A Resolution Declaring the intention of Laurens County, South Carolina to Reimburse Itself For Certain Expenditures With the Proceeds of Debt to be Incurred by Laurens County, South Carolina”; 12.) Administrative Report, Ernie Segars, County Administrator; 13.) Public Comments; 14.) Comments from Council Members; 15.) Adjournment.

MEETING NOTIFICATION - The County Council Members, Department Heads and the Press were informed of the budget session meeting in a timely manner.

CALL TO ORDER – Councilman Coleman called the June 10, 2014 session of Laurens County Council to order at 5:30 P.M. in the Council Chambers of the Historic Courthouse. Chairman Coleman invited all to stand for the Pledge of Allegiance followed by the invocation provided by Councilman Wood.

APPROVAL OF AGENDA – COUNCILMAN PITTS made the MOTION to approve the agenda as presented with VICE CHAIRMAN MCDANIEL SECONDING; VOTE 6-0.

APPROVAL OF MINUTES – VICE CHAIRMAN MCDANIEL made the MOTION to approve the minutes from the May 20, 2014 budget session and the May 27, 2014 regular session of Council. COUNCILWOMAN ANDERSON SECONDING; VOTE 6-0.

OVERVIEW OF CONDITIONS OF EXISTING FIRE STATIONS AND CONSTRUCTION OF NEW STATIONS FOR THE LAURENS COUNTY FIRE SERVICES - Mr. Greg Lindley, Director of Laurens County Fire Service, presented an overview of the current cost factors and conditions of existing fire stations within Laurens County as well as a proposal for new station construction.

Collectively, Mr. Lindley and other County Staff Members implemented a major review of existing structures, as well as locations for the possible construction of new stations to insure county-wide ISO Compliance. All reviews were made with the consideration of the issuance of a General Obligation Bond likely being required to pay for any or all of their projects.

Mr. Lindley explained, “This bond is needed to build four (4) additional fire stations and to rebuild one (1) current station. These stations are needed to help to remove the Class 10 areas in the County, so that the countywide ISO rate of a Class 5 will be given in those areas. The Bond will also be used to purchase the needed apparatus and equipment for the new stations as well as repairing, updating, and bringing the current fire stations up to code”.

Continuing Mr. Lindley said, “The remaining Class nine (9) areas are the Clinton and Fountain Inn Contract areas. The split rates are based on hydrant systems and not water shuttle, any property that does not have a fire hydrant within one thousand feet (1,000’) will be rated a Class nine (9). The Class Ten (10) areas consist of the Hickory Tavern District – Lake Rabon Estates; Waterloo District – Deer Valley Road area; Youngs District/Gray Court District/Fountain Inn; Clinton Fire District – County Area. The only remedy for the Class ten (10) areas is to build stations within five (5) miles. Might I remind Council that these stations are aging and the Ekom fire was determined to be electrical”.

ITEM DESCRIPTION	COST
Repair/replace torn insulation throughout	\$ 22,500.00
Install insulation panels in all garage doors (See Note Below)	\$ 48,300.00
Replace all existing T-12 light fixtures with T-8 type	\$ 36,000.00
Finalize installation of infrared heat in apparatus bay	\$ 48,000.00
Install automatic set back thermostats in all buildings	\$ 10,000.00
Repair/replace weather stripping on all doors	\$ 24,750.00
TOTAL COST	\$ 189,550.00

Note – This item is not included in price detail in estimate. All other items above are included in the estimate.

DEPARTMENTS / STATIONS	COST
WESTERN DIVISIONS	
<u>Cross Hill Fire Department</u>	
Station 2 (Watts Bridge Rd – Department Owned)	\$ 22,330.00
Station 3 (Skippers Landing Rd – Department Owned)	\$ 13,600.00
Station 4 (Ridgewood Harbor – County Owned)	\$ 13,475.00
Cross Hill Fire Department Total	\$ 49,405.00
<u>Waterloo Fire Department</u>	
Station 1 (Hwy 221 S – Department Owned)	\$ 15,900.00
Station 2 (Riverfork Rd – Department Owned)	\$ 18,100.00
Waterloo Fire Department Total	\$ 34,000.00
<u>Western Laurens Fire Department</u>	
Station 1 (Indian Mound Rd – Department Owned)	\$ 56,975.00
Rear Bldg. (Indian Mound Rd – Department Owned)	Included above
Station 2 (Indian Mound Rd – County Owned)	\$ 17,325.00

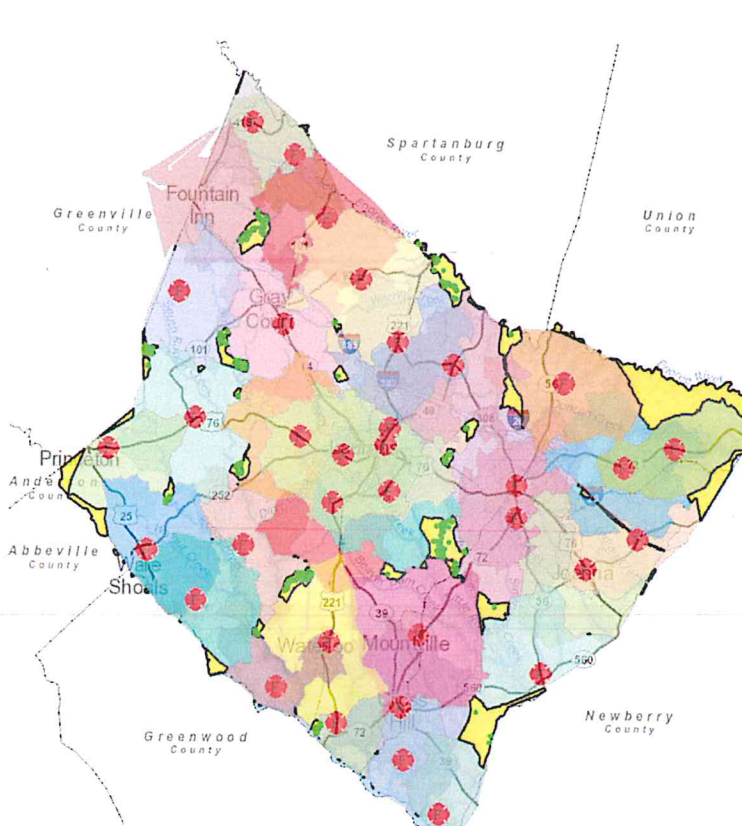
Western Laurens Fire Department Total		\$	74,300.00
WESTERN DIVISIONS TOTALS		\$	157,705.00
NORTHERN DIVISIONS			
<u>Durbin Creek Fire Department</u>			
Station 1 (Knighton Chapel Rd – County Owned)		\$	6,975.00
Station 2 (Hwy 418 – County Owned)		\$	11,250.00
Durbin Creek Fire Department Total		\$	18,225.00
<u>Youngs Fire Department</u>			
Station 1 (Harris Bridge Rd – Department Owned)		\$	19,050.00
Station 2 (Hwy 92 – Department Owned)		\$	11,500.00
Youngs Fire Department Total		\$	30,550.00
<u>Hickory Tavern Fire Department</u>			
Station 1 (Main Station – Department Owned)		\$	29,650.00
Station 2 (Hwy 76 W – County Owned)		\$	18,375.00
Hickory Tavern Fire Department Total		\$	48,025.00
<u>Greenpond Fire Department</u>			
Station 1 (Main Station – Department Owned)		\$	32,925.00
Greenpond Fire Department Total		\$	32,925.00
<u>Gray Court Area Fire Department</u>			
Station 1 (Main Station – County Owned)		\$	60,850.00
Bldg. 2 (Hwy 14 – County Owned)		\$	12,000.00
Gray Court Area Fire Department Total		\$	72,850.00
NORTHERN DIVISION TOTALS		\$	202,575.00
EASTERN DIVISIONS			
<u>Renno Fire Department</u>			
Station 1 (Hwy 72 E. – Department Owned)		\$	30,342.00
Station 2 (Hwy 72 E. – County Owned)		\$	27,216.00
Station 3 (Philson Rd. – County Owned)		\$	30,292.00
Renno Fire Department Total		\$	87,850.00
<u>Sandy Springs Fire Department</u>			
Station 1 (Sandy Springs Rd – Department Owned)**		\$	41,010.00
Station 2 (Hwy 221 N – County Owned)		\$	15,000.00
Sandy Springs Fire Department Total		\$	56,010.00
<u>Mountville Fire Department</u>			
Station 1 (Mart Teague Rd – Department Owned)		\$	20,375.00
Mountville Fire Department Total		\$	20,375.00
<u>Joanna Fire Department</u>			
Station 1 (N Main St – Department Owned)		\$	19,550.00
Station 2 (Hwy 56 S – County Owned)		\$	16,225.00
Station 3 (Shady Grove – County Owned)		\$	16,375.00

Joanna Fire Department Total	\$	52,150.00
EASTERN DIVISION TOTALS	\$	216,385.00
COUNTY OWNED - FIVE MILE RADIUS		
<u>Laurens County Fire Department</u>		
Wattsville Station (Ranch Rd.)	\$	34,225.00
Maddens Station (Stagecoach Rd.)	\$	11,625.00
Trinity Station (Hwy 76 W.)	\$	11,375.00
Kickler Station (S. Harper St. Ext.)	\$	8,250.00
LAURENS COUNTY FIRE DEPARTMENT TOTAL	\$	65,475.00
DIVISIONS (Departments / Stations)	COST	
East Division	\$	216,385.00
West Division	\$	157,705.00
North Division	\$	202,575.00
Laurens County Fire Department	\$	65,475.00
Sub Total of Project	\$	642,140.00
ESTIMATED SUB TOTAL COST	\$	642,140.00
Sandy Springs Roof Repairs	\$	58,000.00
Insulate garage doors	\$	48,300.00
Contractor Fees 20%	\$	122,428.00
Omissions & Errors 5%	\$	30,607.00
Estimated Total Cost of Project	\$	901,475.00
COST PER CATEGORY		
New Station Construction Costs/Land	\$	1,460,000.00
Repairs to Existing Stations	\$	1,000,000.00.00
New Apparatus needed for stations	\$	1,190,000.00
Total Bond Funds Requested	\$	3,650,000.00

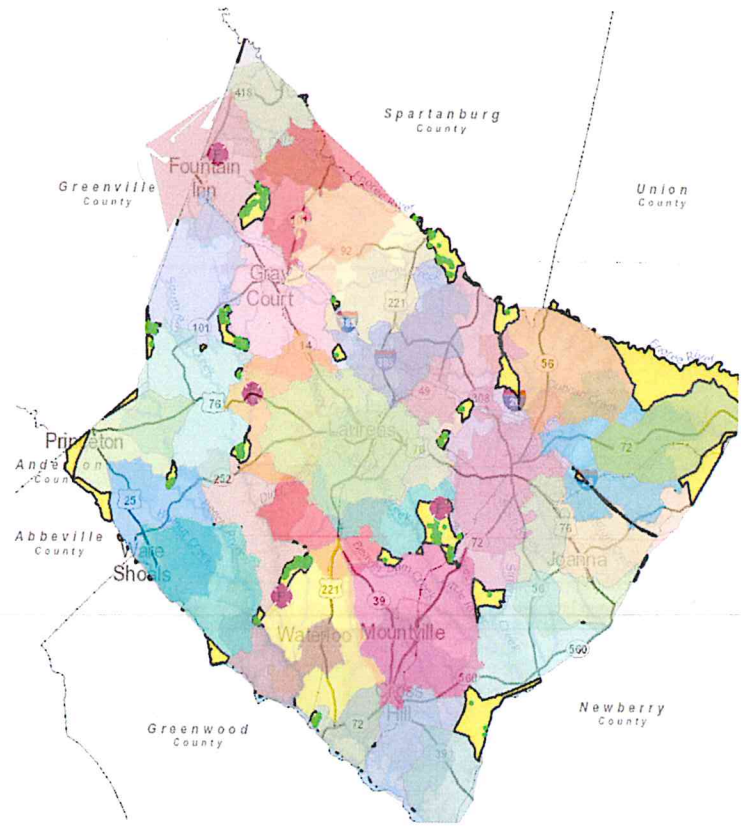
Referring to the determination of the Ekom Beach Fire Station to have been electrical, Councilman Wood asked Mr. Lindley why Council has never been told these findings and officially requested for something in writing as to the fire investigation results.

Mr. Lindley provided Council with a visual concept of the station areas. See following:

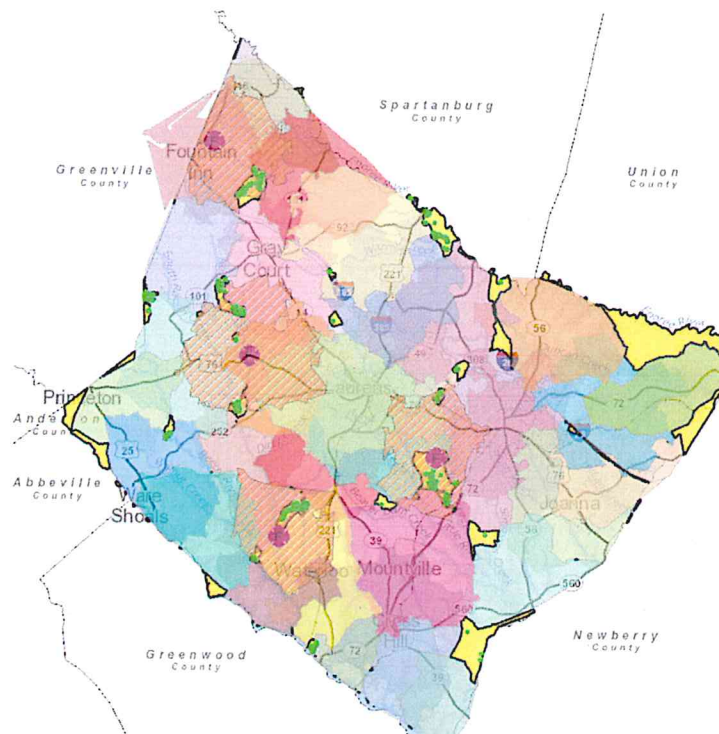
EXISTING STATIONS



PROPOSED STATIONS



FIVE (5) MILE AREA



Vice Chairman McDaniel asked what the percentage of the population is covered now. Mr. Lindley stated that he did not have that information available at the moment but felt the majority of the County is covered under a class five (5) rating. Chairman Coleman noted that he felt it to be around eighty five percent (85%) covered.

Councilman Nash asked if most of his area was not covered by the Fountain Inn Fire Department. Mr. Lindley replied that most of the area is covered by the Fountain Inn Fire Department. Councilman Nash asked for clarification of the area not covered and why build a station on the existing box site in the area. Mr. Lindley replied that the site was selected simply because it is already county owned property and it also takes in the class ten (10) areas.

Councilman Wood said, "When the fire service was started and at a sixteen (16) mill, are there any one house being denied fire service in Laurens County right now"? Chairman Coleman replied that there was not. Councilman Wood said, "Then what we are talking about here now is insurance service not fire service. People choose where to live. If I wanted trash pickup I would live in the City. If a person builds a house three miles down a dirt road, they cannot expect to get the same amount of service as others. This Council needs to look at what we can afford to do. If we are going to do this, then we have to find the money somewhere. I have always been one for the fire service.". Mr. Lindley replied that what is trying to provide to all now is an equal insurance rate. Chairman Coleman replied that they are provided a service but are not getting the credits deserved on insurance.

Councilman Wood asked if the fire departments had all been asked if they would turn their deeds over to the County in order for this to happen? Mr. Lindley replied, "Mr. Segars, the County Attorney and myself had a meeting with all of the Fire Chiefs, Board Members and Presidents several weeks ago and there was a consensus to do so. Ten of the thirteen are in need of repairs. In some of these areas ten years ago you had five houses and now there are forty of fifty".

Administrator Segars said, "The Staff has visited all of the fire stations to secure a summary of what repairs and needs they all need. The repairs and upgrades can be done in stages with the first step being actually what we are trying to get to now. There is no great stress now to do this and this is a County Council decision not the Staffs".

Chairman Coleman assigned the County Council Committee on Health, Welfare and Emergency Services the task of reviewing the reporting that was presented by Mr. Lindley as to Council approving part, all or none of the upgrades for the fire departments. And, to report back to the full Council of their recommendations.

SECOND READING, ORDINANCE #766, "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN LAURENS COUNTY, SOUTH CAROLINA AND SHAW INDUSTRIES GROUP, INCORPORATED – PROVIDING FOR A PAYMENT OF A FEE IN LIEU OF TAXES AND OTHER MATTERS RELATED THERETO". – Chairman Coleman noted that this was second reading on the Ordinance and not third reading as noted on the agenda.

VICE CHAIRMAN MCDANIEL made the MOTION to approve Ordinance #766 upon second reading with COUNCILWOMAN ANDERSON SECONDING; VOTE 6-0.

FIRST (published as SECOND) READING, ORDINANCE #633 – "AN ORDINANCE TO REGULATE MOTOR SPORTS FACILITIES WITHIN THE UNINCORPORATED AREA OF LAURENS COUNTY AND TO PROVIDE FOR VIOLATION OF THE ORDINANCE". Chairman Coleman stated that this would not be second reading but would be considered as first reading. Confusion was largely due to the Ordinance actually being scheduled for first reading on January 7, 2007 but was postponed until the work was finalized for the Noise Ordinance that dealt explicitly with the situation at hand with the track on Curry Lake Road.

COUNCILMAN NASH made the MOTION to approve Ordinance #633 upon first reading with COUNCILWOMAN ANDERSON SECONDING for discussion.

Councilman Pitts stated that he felt this was a right step to countywide control and that he supported the efforts of the Enforcement Ordinance.

COUNCIL VOTED 5-1 (Councilman Wood in opposition)

- COUNCIL COMMITTEE ASSIGNMENT - Chairman Coleman assigned the County Council Committee on Planning and Intergovernmental Affairs the task of reviewing the Ordinance and to report back to the full Council of their recommendations.

APPOINTMENT – LAURENS COUNTY AIRPORT COMMISSION – COUNCILMAN PITTS made the MOTION to approve the appointment of Mr. Robert A. Harrington of Gray Court to fill the recently resigned post of Mr. Billy Joe Patterson; COUNCILWOMAN ANDERSON SECONDING; VOTE 6-0.

APPOINTMENT(S) – LAURENS COUNTY ACCOMMODATIONS TAX ADVISORY COMMITTEE – Andy Howard, Director for the Laurens County Parks, Recreation and Tourism Commission requested Council to approve the following nominees to serve the forthcoming year on the Laurens County Accommodations Tax Advisory Committee.

Continuing Mr. Howard said, “State law requires a County to appoint an Accommodations Tax Advisory Committee to accept, review and make recommends from the agency requests towards the County Accommodation Tax Funds. The state statute that establishes the Advisory Committee is specific as to the requirements and functions of this Committee. The Committee will be required to adopt an application as well as guidelines for those applying for funds from the special fund used for tourism-related expenditures. The funding recommendations that will be recommended to Council will be through a dual approval recommendation process – to Council from the Parks, Recreation and Tourism Commission who receives recommendations from the Accommodation Tax Committee. County Council will have the final authority for the allocation of the funds.

COUNCILMAN PITTS made the MOTION to approve the recommendations as submitted with COUNCILWOMAN ANDERSON SECONDING; VOTE 6-0.

NAME / ADDRESS	EMPLOYER	CLASSIFICATION
Doug Hendricks 109 Cleveland Street Clinton, South Carolina 29325	Owner, Operator Steamers	Hospitality Restaurant
Kirit Naik Trotters Restaurant 2477 Hwy 76 East Clinton, South Carolina 29325	Owner, Operator Trotters Restaurant	Hospitality Restaurant
Sam Pike 179 East Corporate Center Drive Clinton, South Carolina 29325	Manager/Operator Hampton Inn	Hospitality Lodging
Mel Weaver 463 Cane Creek Camp Road Cross Hill, SC 29332	Cane Creek RV Resort	Hospitality Lodging
Brian Robson, Park Manager 398 State Park Road Cross Hill, SC 29332	Musgrove Mill Historic	At-Large

Nancy Griffith 249 Nottingham Road Clinton, South Carolina 29325	History Author	Cultural
Melinda Chalmers 203 West Farley Avenue Laurens, South Carolina 29360	Historian Local Chapter DAR	At large

Chairman Coleman asked for Mr. Howard to provide Council with an update of the Reedy River projects.

Mr. Howard said, “We have been granted six hundred fifty thousand dollars(\$650,000) to develop the Tumblin Shoals property and to purchase a five (5) acre track towards the dam for a canoe and kayak launch”.

Councilman Pitts replied, “I would like to request for a feasibility study to be conducted by the Clemson University Strom Thurmond Institute of what the County owns now and how would the concept of regional sports facility impact Laurens County. I encourage Council to go to some of these other facilities to visually see how it could provide for a financial impact in Laurens County.” Mr. Howard added that Myrtle Beach just constructed facility on one hundred sixty four (164) acres that cost sixteen million dollars (\$16,000,000) and the return in one (1) year has been in excess of eighteen million dollars (\$18,000,000). Chairman Coleman requested for the Staff to contact the Clemson Thurmond Institute to see if it is feasible for Laurens County.

RESOLUTION #2014-10 – “A RESOLUTION DECLARING THE INTENTION OF LAURENS COUNTY, SOUTH CAROLINA TO REIMBURSE ITSELF FOR CERTAIN EXPENDITURES WITH THE PROCEEDS OF DEBT INCURRED BY LAURENS COUNTY, SOUTH CAROLINA” - Attorney Cruickshanks said that this Resolution will allow the County to reimburse itself for the estimated sixty thousand dollars (\$60,000) worth of repairs currently underway at the Durbin Creek Fire Department; with the funds coming from the proceeds of the General Obligation Bond that the County will issue to pay for needed repairs to other existing fire stations and the construction of a number of new stations.

COUNCILWOMAN ANDERSON made the MOTION to approve the Resolution with VICE CHAIRMAN MCDANIEL SECONDING for discussion.

Councilman Wood stated that he felt this to be foolish because the Fire Department has the money to make the repairs.

Chairman Coleman replied that approval of this Resolution does not mean that the County is obligated to approve the referenced General Obligation Bond – that it is only an option.

COUNCIL VOTED 5-1 (Councilman Wood was in opposition).

ADMINISTRATIVE REPORT – Mr. Segars, County Administrator, requested the following:

- 1.) **APPROVAL FOR THE SUBMISSION OF A JUSTICE ASSISTANCE GRANT (JAG) – LAURENS COUNTY SHERIFF’S DEPARTMENT** - Administrator Segars informed Council of a request from the Sheriff’s Department for approval towards the submission of Justice Assistance Grant and explained that Council approval is a required process of acknowledgement of the submission of the grant. The total amount is expected to be in excess of twenty two thousand dollars (\$22,000) and will be used to improve officer safety, crime prevention and traffic safety in the Laurens County Sheriff’s Department. There is no local match requirement for these funds. The items proposed for purchase are:
 - a.) \$15,200 –GPS Tracking Technology - An electronic tracking device system that utilizes GPS technology to aid in the location of missing or wandering adults or children in our community who suffer from dementia, autism, Alzheimer’s, and other similar situations.

- b.) \$7,184 – Electronic Surveillance Equipment - Electronic surveillance equipment is needed for the Laurens County Sheriff's Office to assist in the collection of evidence in ongoing criminal investigations.

Total 2014 JAG Funds - \$22,384.00.

COUNCILMAN PITTS made the MOTION to approve the request and acknowledgment of the Justice Assistance Grant with COUNCILMAN WOOD SECONDING for discussion.

Councilwoman Anderson questioned if these items were listed in the initial budget requests and not funded yet? And have they evaluated what could be obtained by grants?

COUNCIL VOTED 6-0 to approve.

- 2.) Administrator Segars noted that the Council Committee on Health, Welfare and Emergency Services will need to meet with the Laurens County Memorial Hospital Committee at 4:00 P.M. on Tuesday June 24, 2014, to determine the appointments of several members.
- 3.) Administrator Segars informed Council that all public notices had been submitted to the local papers for publication of the upcoming public hearing and third reading of the 2014-2015 County Budget.

PUBLIC COMMENT – Chairman Coleman opened the floor for public comments at 6:16 P.M.

- 1.) Mr. Gerald Miller, from the Gray Court Owings Community, approached Council concerning Ordinance #633, the proposed Motor Sports Ordinance by saying, "I agree with Councilman Pitts statement of this being a step in the right direction but the shoes do need to be cleaned up a bit".

Mr. Miller asked for Council to follow along on their copy of the Ordinance as to recommendations that he has to offer:

- 1.) Page 2, Section 5 – Definitions - Motor Sports Facility:

Recommended – To change the definition of a motor sports facility by deleting the part pertaining to the number of wheels and engine horse power. Delete the reference to the number of wheels to say; Any motorized vehicle with an internal combustion engine which is designed to be self-propelled or so forth...this covers all motorsports activities. The current draft does not cover motorcycles and they can be as big annoyance as 4 wheel (stock car) vehicles. Most are two stroke engines which turn a higher RPM and fire twice the number times per engine revolution when compared to automobile engines.

- 2.) Page 3 - Section. 5, A-2:

Recommended - Please note the setback requirement of 1,000 feet. It has a direct influence on another part of the ordinance. (Section 8-E Decibels)

Page 3 - Section. 7, A - Hours of Operation:

Recommended - Weekday closing of 12:00 midnight is too late and number of races per week needs to be controlled. Racing events may only be conducted one (1) day per week Monday through Saturday during the hours of 8:00 A.M. to 10:00 P.M. As it is written does the ending time apply to racing activity or closure of the facility?

- 3.) Page 4 – Section 8 - Safety Standards E – Decibels:

Recommended – For Council information, the NHRA test is measured at a distance of 50 feet, 3,500 RPM, and no load. The Q&A Section of the NHRA web site acknowledges that this is an easy

requirement to meet. The limit of 95 db at the property line is much too high. This level is equivalent to a jack hammer operating at a distance of 15 m (≈ 45 ft) (OSHA data). Any industry with anticipated noise levels of this magnitude and duration would be required to provide their employees with ear protection and conduct a hearing conservation program. Sound level decreases by 6 db for each doubling of the distance from the source to the receiver. Therefore with the set back of 1,000 ft as required in Section 5, A-2, the sound level would be 89 db at 1000 ft from the property line (2000 ft from the source) and 83 db at 2,000 ft from the property line. For reference OSHA data lists a heavy truck as 85 db measured at 15 m. Limits of 75 db daytime and 70 db night time would be more realistic to protect the adjacent property. This would also allow deletion of the NHRA testing.

An issuance of only one violation in a 24 hour period should be removed as it gives the violator “carte blanche” to operate as loud as desired after a violation which could occur at the very beginning of the competition.

Sound levels greater than these will result in a violation of this ordinance. If the noise level is not controlled within fifteen (15) minutes of being served with a citation a subsequent citation will be issued. Noise records / readings by a law enforcement office or certified / qualified person should serve as prima facie evidence to serve a citation. The Sheriff should serve the citation immediately after being notified of the violation of the violation by the qualified person.

Page 6 - Section 15 - Violations and Penalties:

Recommended - Addition is needed regarding repeated offences by adding - If convicted of a third offense, the person, firm, corporation or agent that violates the provisions of this Ordinance shall be required to immediately cease and desist from further operation of the sound producing device. The County Attorney shall seek injunctive relief, or any appropriate remedy available at law or in equity, in a court of competent jurisdiction to assure compliance

Page 6 - Section 16 - Revocation and Citation

Recommended - As written there is no specific time limit for correction of offences that are issued by the Laurens County Building Official. It should read: The Laurens County Building Official, or designee, shall give the owner/operator of the motor sports facility a reasonable time but not more than twenty (20) business days to correct the violation. If the owner/operator fails to cure the violation within the time prescribed, the Laurens County Codes Enforcement Manager, or designee, shall proceed to revoke the permit or cite the motor sport facility. Any action by the Laurens County Codes Enforcement Manager, or designee, to revoke a permit may be appealed to the Laurens County Planning Commission. Once a permit is revoked in accordance with this Section, any further application shall be considered a new application and all applicable provisions of this Ordinance shall apply.

- 2.) Mr. Jim Royer of the Gray Court / Owings Community said, “I want to talk briefly about the Motor Sports Ordinance #633. As most of you know this ordinance came about because of past issues with race tracks within residential communities. With the tremendous growth in Laurens County over the last few years I believe we need stronger measures on controlling noise now more than ever. With the recent court case on the Highway #92 landfill issue I applaud County Council for getting out in front of this issue. But to be more specific, I do think that some of the issues could use some adjustments”.

The areas included by Mr. Royer were as follows:

- 1.) There is no mention or protection for residential communities.
- 2.) The ordinance should include language for Moto Cross and like facilities. These types of facilities can be just as noisy as cars can be.

- 3.) Under Section 6 Requirements – Distances: The ordinance has two (2) miles from Health Care Facilities, one (1) mile from schools, libraries, churches and a thousand feet (1,000') from everything else. I feel that the thousand foot (1,000') distance requirement should be increased since the one thousand foot (1,000') at ninety five (95) decibels is ridiculous.
- 4.) Section 7. Operations, A) Hours of Operations - The ordinance has racing listed seven (7) days a week including Sunday and hours of racing to Midnight. This should be scaled back to just one day a week and certainly not until midnight.
- 5.) Section 8. Safety Standards, (E) Decibels - First of all the 95 db level is extremely loud and should be considered at a lower level. Recent court cases for similar facilities in the county have found that 95 db levels were unreasonable. Only one (1) offence in 24 hours. With this wording the track operator could receive a violation at 8:15 P.M. then run unimpeded for the rest of the night and the next day and receive only violation because the ordinance says only one (1) violation in 24 hours.
- 6.) Section 15. Violations and Penalties - There should be an end result not just paying a fine and keep going the next night, the next week, etc. Some track owners may find that paying the fine is just part of doing business. There has to be an end somewhere not just paying a fine and keep going.

With no others wishing to address Council, Chairman Coleman closed the public comment segment at 6:30 P.M.

COMMENTS FROM COUNCIL:

- 1.) Councilman Wood said, "I say, different strokes for different folks. I am a car nut myself and like most sports. It would be nice if I could sit down and write the laws for myself. That is not possible. I do not see anything wrong with an Ordinance from the safety standpoint to protect the people and not to prohibit others enjoyment. What about a Clemson University football game with someone hollering in your ears for four hours. I live right across from the Starlight Dragstrip in Ware Shoals....they had over seven thousand people there the other night. It does not bother me at all. Are we going to write ordinances for horse arenas, golf courses and rail road tracks. You talk about the free enterprise system....you can not create something to not allow someone to build something".
- 2.) Councilman Pitts asked Mr. Marvin Moss to provide an update on economic development.

Mr. Moss informed Council, "Everything is stable at this time and that a number of site visits have been made...last year was good and this year is even better. There are five (5) projects on the short list with hopefully one (1) announcement within the next several weeks. The Development Corporation has hired a company to look for more sites between exists 22 and 60 along Interstate 26. Clinton 25 has been certified now with over seven hundred (700) sites. Owings now has waster and sewer lines in the ground".

ADJOURNMENT – Chairman Coleman adjourned the meeting at 6:45 P.M.

Respectfully submitted,



Betty C. Walsh

Laurens County Clerk to Council